

REMARKS

Claims 1, 10, 13, 15, 16, 22, 23, 25-29, 32, and 35-37 were pending prior to this Response. Applicants note that claim 11 was subject to cancellation responsive to an Office Action dated January 28, 2008. However, insofar as the disposition of claim 11 may be reflected as currently pending, Applicants hereby cancel claim 11 as shown in the current listing of claims. The Examiner has deemed claims 22, 23, 25-29, 32, and 35-37 to be allowable and fully compliant with the written description requirement under 35 U.S.C. § 112, first paragraph. Accordingly, upon entry of the present amendment, claims 22, 23, 25-29, 32, and 35-37 will be pending.

Rejection under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 1, 10, 13, 15, and 16 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent 5,453,357 (hereinafter Hogan) in view of Shamblott *et al.* (1998) *Proced. Natl. Acad. Sci.* 95, pp. 13726-13731 (hereinafter Shamblott) for reasons set forth in Action mailed May 26, 2009. Specifically, the Office alleges that “it would have been obvious to produce human EBD-cells in view of the production of mouse EBD-cells taught by Hogan in view of Shamblott teachings human EB’s.” Without acquiescing to the reasoning offered by the Office, rather to expedite prosecution toward allowance, Applicants respectfully request cancellation of claims 1, 10, 13, 15, and 16, without prejudice or disclaimer. Given that the rejection has been rendered moot by cancellation of the claims at issue, Applicants respectfully request that it be withdrawn.

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CONCLUSION

In view of the above amendments and remarks, reconsideration and favorable action on all claims are respectfully requested. The Examiner is invited to contact Applicants undersigned representative if there are any questions relating to this application.

No fee is deemed to be due in connection with this response. However, the Commissioner is authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 07-1896 referencing the above-identified attorney docket number.

Respectfully submitted,

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